

Appl. No. 09/695,814

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TC 1700

SEP 5 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/695,814
Filing Date October 24, 2000
Inventor Stephen P. Turner et al.
Assignee Honeywell International Inc.
Group Art Unit 1753
Examiner McDonald, Rodney
Attorney's Docket No. H0001468
Title: Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering
Targets

RESPONSE TO JUNE 27, 2003 OFFICE ACTION

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: Jennifer J. Taylor, Ph.D. (Tel. 509-624-4276; Fax 509-838-3424)
Wells St. John P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828

AMENDMENTS

Introductory Comments

In response to the Office Action dated June 27, 2003, applicant amends and
remarks as follows.

Adjustment date: 10/29/2003 EEKUBAY1
10/03/2003 JBALINAM 00000033 230925 09695814
01 FC:1801 336.00 CR

Practitioner's Docket No. HO58-044

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stephen P. Turner et al.

Application No.: 09/695,814

Group No.: 1753

Filed: October 24, 2000

Examiner: Rodney McDonald

For: "Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering Targets"

Commissioner for Patents and Trademarks
Washington, D.C. 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

I. RETURN OF REFUND REQUEST

This is a request for a refund, with respect to the debit to Deposit Account 23-0925, shown on the statement dated October 3, 2003 for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.
A copy of the Ex-Post Declaration, copy of the Fee Transmittal, and copy of the Response to June 27, 2003 Office Action, accompanies this request.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office. 703-308-6778

Date:

23 October 2003

Signature



Rhonda G. Rambo

(type or print name of person certifying)

(Request for Debit (Improper Credit of Deposit Account)—page 1 of 2)

6 Pages total

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

| | AMOUNT OF REFUND REQUESTED |
|--|----------------------------------|
| Improper charge for Independent Claims Excess of Three | \$336.00 |
| TOTAL REFUND REQUESTED | \$336.00 |

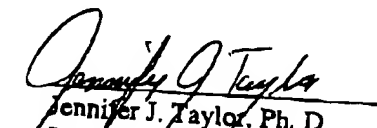
III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On September 29, 2003 we filed an Office Action Response to the PTO Communication mailed June 27, 2003. On the Fee Transmittal dated September 29, 2003, we made an error on the Extra Claim Fee calculation - there were NO additional claims to this Office Action Response; only fees for the Supplemental Information Disclosure and the Terminal Disclaimer. We submitted check # 140457, in the amount of \$290.00 for the Supplemental Information Disclosure and the Terminal Disclaimer. Therefore, no additional fees are believed to be required. Please credit Deposit Account No. 23-0925 with the above fee amount.

IV. MANNER OF REFUND

Please Credit Account No. 23-0925.

Date: October 23, 2003


Jennifer J. Taylor, Ph. D.
Reg. No. 48,711
Wells St. John P.S.
601 West First Ave., Suite 1300
Spokane, WA 99201-3828
Tel. No.: (509) 624-4276
Customer No.: 021567

(Request for Debit (Improper Credit of Deposit Account)—page 2 of 2)



Deposit Account Statement

Requested Statement Month:

October 2003

Deposit Account Number:

230925

Name:

WELLS ST JOHN PS

Attention:

RHONDA RAMBO

Address:

601 WEST FIRST AVENUE SUITE 1300

City:

SPOKANE

State:

WA

Zip:

99201-3817

| DATE | SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|-------|------|--------------------|---------------------------|-------------|-------------|-------------|
| 10/02 | 25 | 09888214 | LO25-003 | 1202 | -\$72.00 | \$12,610.00 |
| 10/02 | 96 | 10672816 | MI22-2398 | 1202 | \$180.00 | \$12,430.00 |
| 10/03 | 15 | 6500744 | MI22-1197 | 1811 | -\$100.00 | \$12,530.00 |
| 10/03 | 23 | 10340126 | | 9204 | -\$180.00 | \$12,710.00 |
| 10/03 | 41 | 09695814 | H0001468 | 1201 | \$336.00 | \$12,374.00 |
| 10/03 | 42 | 09172096 | | 9204 | -\$20.00 | \$12,394.00 |
| 10/03 | 952 | 2135589 | TW3-106 | 7205 | \$100.00 | \$12,294.00 |
| 10/03 | 953 | 2135589 | TW3-106 | 7208 | \$200.00 | \$12,094.00 |
| 10/06 | 282 | 2121120 | CU15-101 | 7205 | \$100.00 | \$11,994.00 |
| 10/06 | 283 | 2121120 | CU15-101 | 7208 | \$200.00 | \$11,794.00 |
| 10/06 | 336 | 09880580 | | 9204 | -\$30.00 | \$11,824.00 |
| 10/07 | 19 | 09148723 | MI22-981 | 1806 | -\$180.00 | \$12,004.00 |
| 10/08 | 4 | 6500709 | MI22-1584 | 1811 | -\$100.00 | \$12,104.00 |
| 10/08 | 5 | 09867754 | ZA1-007 | 2801 | \$385.00 | \$11,719.00 |
| 10/08 | 551 | 78310825 | WO28-110 | 7001 | \$335.00 | \$11,384.00 |
| 10/09 | 2 | 09881299 | MI22-1747 | 1801 | \$750.00 | \$10,634.00 |
| 10/09 | 38 | SUBSCRIPTION | | 8001 | \$3.00 | \$10,631.00 |
| 10/09 | 43 | PCT/US03/30731 | H0003933-PCT | 1602 | \$250.00 | \$10,381.00 |
| 10/09 | 426 | 76095115 | CO75-102 | 7004 | \$150.00 | \$10,231.00 |
| 10/09 | 433 | 76095113 | CO75-101 | 7004 | \$150.00 | \$10,081.00 |
| 10/10 | 92 | 10102199 | NO35-001 | 8001 | \$15.00 | \$10,066.00 |
| 10/14 | 1886 | 78313283 | BE58-102 | 7001 | \$335.00 | \$9,731.00 |
| 10/15 | 1 | 09653156 | MI22-1518 | 1801 | \$770.00 | \$8,961.00 |
| 10/15 | 2 | 09686714 | IR3-012 | 2201 | \$42.00 | \$8,919.00 |
| 10/15 | 36 | SUBSCRIPTION | | 8001 | \$3.00 | \$8,916.00 |
| 10/15 | 599 | 78313654 | MA91-101 | 7001 | \$335.00 | \$8,581.00 |
| 10/15 | 603 | 78313657 | MA91-102 | 7001 | \$335.00 | \$8,246.00 |
| 10/16 | 27 | PAYMENT | | 9203 | -\$6,000.00 | \$14,246.00 |
| 10/16 | 384 | 10071843 | | 8021 | \$40.00 | \$14,206.00 |
| 10/17 | 23 | 6383848 | | 1811 | -\$100.00 | \$14,306.00 |
| 10/17 | 26 | 6482691 | MI22-1345 | 1811 | -\$100.00 | \$14,406.00 |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION SERIAL NO 09/695,814
 FILING DATE October 24, 2000
 INVENTORSHIP Stephen P. Turner et al.
 ASSIGNEE Honeywell International Inc.
 GROUP ART UNIT 1753
 EXAMINER McDonald, Rodney
 ATTORNEY'S DOCKET NO H0001468
 TITLE: Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering
 Targets

EX POST DECLARATION OF EXPRESS MAILING

I hereby declare that I have deposited the below-listed papers with the United States Postal Service "Express Mail Post Office to Addressee" service, addressed and posted as indicated below, in compliance with 37 CFR 1.10. The Express Mail label No. has been placed on one or more of the papers listed.

Express Mail Number: EV318285037US
 Date of Deposit: 9/29/03
 Time of Deposit: 4:30 a.m./p.m.
 Deposited By: ☒ Delivery to Postal Employee
☐ Place in Drop Box
 Addressee: Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

Place of Deposit:

☐ U.S. Post Office (Paulsen Bldg. Br.)
 421 West Riverside, Room 201
 Spokane, Washington 99201
 Last Scheduled Drop Box Pickup: 4:40 p.m.

☒ U.S. Post Office (Riverside Station)
 904 West Riverside
 Spokane, Washington 99201
 Last Scheduled Drop Box Pickup: 5:00 p.m.

☐ U.S. Post Office (DIST. CTR.)
 2928 S. Spotted Road
 Spokane, Washington 99202
 Last Scheduled Drop Box Pickup: 9:00 p.m.

☐ U.S. Post Office _____ Branch
 Last Scheduled Drop Box Pickup: _____ a.m./p.m.

Listing Of Items Enclosed in Mailing:

1. 2 return receipt postcards
2. \$290.00 Check
3. Transmittal Form (PTO/SB/21) & Fee Transmittal (PTO/SB/17) in duplicate
4. Response to June 27, 2003 Office Action
5. Terminal Disclaimer
6. Supplemental Information Disclosure Statement w/PTO-1449 and copy of cited references

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issued therefrom.

Dated at Spokane, Washington this 29th day of September, 2003.

Printed Name: Trinity Coxon

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$290.00)

Complete If Known

Application Number 09/695,814
Filing Date October 24, 2000
First Named Inventor Stephen P. Turner
Examiner Name McDonald, Rodney
Art Unit 1753
Attorney Docket No. H0001468

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 23-0925
Deposit Account Name Wells St. John P.S.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 750 | 2001 375 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing fee | |
| 1003 520 | 2003 260 | Plant filing fee | |
| 1004 750 | 2004 375 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 41
Independent Claims 9
Multiple Dependent Claims 32
Extra Claims Fee from below Fee Paid

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|-----------------|----------|
| 1202 18 | 2202 9 | | |
| 1201 84 | 2201 42 | | |
| 1203 280 | 2203 140 | | |
| 1204 84 | 2204 42 | | |
| 1205 18 | 2205 9 | | |

SUB1

**or number previously paid.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity / Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 1061 130 | 2061 65 | Surcharge - late filing fee or oath | |
| 1052 30 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 2053 130 | Non-English specification | |
| 1812 2,520 | 2812 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 920* | 2804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 2805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 410 | 2252 205 | Extension for reply within second month | |
| 1253 930 | 2253 465 | Extension for reply within third month | |
| 1254 1,450 | 2254 725 | Extension for reply within fourth month | |
| 1255 1,970 | 2255 985 | Extension for reply within fifth month | |
| 1401 320 | 2401 160 | Notice of Appeal | |
| 1402 320 | 2402 160 | Filing a brief in support of an appeal | |
| 1403 280 | 2403 140 | Request for oral hearing | |
| 1451 1,510 | 2451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,300 | 2453 650 | Petition to revive - unintentional | |
| 1501 1,300 | 2501 650 | Utility issue fee (or reissue) | |
| 1502 470 | 2502 235 | Design issue fee | |
| 1503 830 | 2503 315 | Plant issue fee | |
| 1460 130 | 2460 130 | Petitions to the Commissioner | |
| 1807 50 | 2807 50 | Processing fee under 37 CFR 1.17(c) | |
| 08 180 | 1808 180 | Submission of Information Disclosure Stmt | 180 |
| 21 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 38 750 | 2808 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 0 750 | 2810 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 31 750 | 2801 375 | Request for Continued Examination (RCE) | |
| 12 900 | 1802 900 | Request for expedited examination of a design application | |

If fee (specify)

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$290.00)

SUBMITTED BY

Name (Print/Type) Jennifer J. Taylor, Ph.D.

Signature

Registration No. (Attorney/Agent)

48,711

(Complete if applicable)

Telephone 509-624-4276

Date

September 29, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PT -2038.
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

10/23/03 THU 13:07 [TX/RX NO 8003] 005

Appl. N . 09/695,814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/695,814
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Assignee..... Honeywell International Inc.
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AMENDMENTS**Introductory Comments**

In response to the Office Action dated June 27, 2003, applicant amends and remarks as follows.